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Entered on Docket
 June 01, 2010

Bruce A. Markell

Hon. Bruce A. Markell
 United States Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT
 DISTRICT OF NEVADA (LAS VEGAS)

IN RE:

TAKEEHIRO MITAMURA

Debtor,

BK-10-10006-bam

ORDER GRANTING JOYCE
 LOZOW'S MOTION FOR RELIEF
 FROM THE AUTOMATIC STAY

Hearing Date: May 25, 2010
 Hearing Time: 1:30 p.m.

ORDER

THIS MATTER came before the Court on Joyce Lozow's ("Lozow") Notice of and Motion for Order Granting Relief from Stay ("Motion") seeking relief from the automatic stay pursuant to 11. U.S.C. §362(d)(1) and (2) in order to allow Lozow to continue and complete a foreclosure of her interest in Property located at 5412 La Patera Lane, Las Vegas, Nevada, 89149. Lozow's Motion further requested that the Court's Order be effective upon entry and not subject to the fourteen-day stay provided for under §4001(a)(3) of the Bankruptcy Rules.

Having reviewed the Motion for Relief, the supporting Declaration of Lozow and the Proof of Service on file herein, and having further determined that due and proper notice of the Motion was given, and having concluded that Debtor has no equity in the property, the property is not necessary to an effective reorganization, or alternatively, that Lozow's interest is not adequately protected, it is hereby,

ORDERED as follows:

1. Lozow is granted relief from the automatic stay to immediately exercise all available rights and remedies she may have with respect to the real property located at 5412 La Patera Lane, Las Vegas, Nevada, 89149;

2. This order shall be effective upon entry and not subject to the fourteen-day stay provided for under §4001(a)(3) of the Bankruptcy Rules; and

3. This order shall be binding on all parties in interest in this proceeding, including but not limited to any trustee, committee, or debtor in possession, and shall be binding in the event of a conversion of this case to another chapter of the Bankruptcy Code, a dismissal and reopening of the case, or the filing of another case by Debtor involving the above described real property collateral.

DATED this _____ day of May, 2010.

HONORABLE BRUCE A. MARKELL
United States Bankruptcy Judge

Presented by:

SIMON & BERMAN

By: 

Marc L. Simon, Esq.
Nevada Bar No. 1259
5812 S. Pecos Road, Suite A
Las Vegas, Nevada 89120
Attorney for Joyce Lozow

1 In accordance with Local Rule 9021, the undersigned counsel certifies as follows (check one):

2 ☐ The court waived the requirements of LR 9021.

3 ☐ No parties appeared or filed written objections, and there is no trustee appointed in the case.

4 ☐ No parties appeared or filed written objections, and the trustee is the movant.

5 ☒ This is a Chapter 7 or 13 case, and either with the motion, or at the hearing, I have delivered a copy of this proposed order to all counsel who appeared at the hearing, and any trustee appointed in this case, any unrepresented parties who appeared at the hearing, and each has approved or disapproved the order, or failed to respond as indicated below:

6 Debtor's counsel:

7 ☐ Approved the form of this order ☐ disapproved the form of this order

8 ☐ Waived the right to review the order and/or ☒ failed to respond to the document

9 ☐ Appeared at the hearing, waiving the right to review the order

10 ☐ Matter unopposed, did not appear at the hearing, waived the right to review the order

11 Trustee:

12 ☐ Approved the form of this order ☐ disapproved the form of this order

13 ☐ Waived the right to review the order and/or ☒ failed to respond to the document

14 ☒ I certify that I served a copy of this Order with the Motion, and no parties either appeared or filed written objection.

15 Submitted by:

16 SIMON & BERMAN

17 By: 

18 Marc L. Simon, Esq.
19 Nevada Bar No. 1259
20 5812 S. Pecos Road, Suite A
21 Las Vegas, Nevada 89120
22 Attorney for Joyce Lozow
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